



Corrections and Community Supervision

2020 Report on the Shock Incarceration Program

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BACKGROUND

Since 1987, the New York State Department of Corrections and Community Supervision (DOCCS) has administered a Shock Incarceration Program. The program provides selected incarcerated individuals a special six-month program, stressing a highly structured routine of discipline, intensive regimentation, exercise, and work therapy, together with substance abuse treatment, education, pre-release counseling, and life skills counseling.

While the program was initially created for young individuals who had not been previously been sentenced to prison, Shock program eligibility was expanded when the 2009 Rockefeller Drug Law Reform (DLR) legislation was enacted in April 2009. In response, DOCCS implemented new screening procedures in the summer of 2009.

Since Shock allows eligible individuals to be released prior to serving their judicially mandated minimum sentences, efforts were made by both the Legislature and DOCCS to carefully restrict the eligibility criteria. These restrictions help ensure that those individuals who could benefit the most from this program participate, while those individuals who pose a risk to society are excluded.

Determinations regarding eligibility and suitability for participation in the NYS DOCCS Shock Incarceration Program are a combination of automated processes and manual review of records by DOCCS staff.

Reception Screening

On a nightly basis, eligibility, as defined in Correction Law section 865(1), is determined by an automated program that is part of the Program Eligibility, Screening, and Monitoring system (PESM). Data maintained in the normal course of DOCCS business is examined to determine if the individual meets the eligibility criteria (e.g., Crime and Age). A record is written to the PESH system indicating the results of the screening and the date it was completed. This eligibility screening is repeated each night while the individual is in Reception. Any changes in eligibility result in a new record being written to the system.

As noted in Correction Law section 866(1), selection criteria has been established for participation in the Shock program. Screening for suitability is completed in two parts – automated and manual. As not all of the information needed to determine suitability is available in electronic systems, the automated system only determines suitability based upon electronically available data. Other aspects of suitability requiring a review and/or interpretation of paper-based records, as well as a medical determination, are done separately.

Automated Suitability Screening

Individuals deemed eligible are screened for automated suitability on a nightly basis by an automated program that is part of the PESM system. Suitability criteria considered are:

- Admission Type (Alt 90 program admissions are unsuitable)
- Time to Release
- Institutional Behavior as recorded in the DOCCS Disciplinary System¹
- Mental Health Level – Levels 1 and 2 are deemed unsuitable; Level 3 were deemed unsuitable prior to November 9, 2022 ²
- Sex Offender status
- Refusal to provide DNA

A record is written to the PESM system indicating the results of the automated screening and the date it was completed. This Suitability screening is repeated each night while the individual is in Reception. Any changes in suitability result in a new record being written to the system.

It is important to note that suitability screening is performed in the order listed and once an unsuitable reason is found, screening does not continue.

The next two steps are performed in different orders for logistical reasons based upon the Reception Center. At Elmira, individuals are asked to volunteer to the Shock Incarceration Selection Committee prior to manual suitability screening. Those who do not volunteer are not manually screened for suitability. At Downstate and Ulster, manual suitability screening is performed prior to the individual being asked to volunteer.

Manual Suitability Screening

Manual suitability is performed by Offender Rehabilitation Coordinators (ORC) and involves a review of criminal history and other records to make a recommendation on suitability for Shock. Factors include Prior Criminal History, including out of state sentences, details regarding the Instant Offense, including serious acts of violence and injuries sustained by victims, underlying Sex Offenses, Outstanding Felony Warrants and/or Charges, and Judge/Prosecutor Recommendations or objections to Shock participation. The Senior Offender Rehabilitation Coordinator (SORC) reviews the ORC recommendation and forwards it to the Deputy Superintendent. Additionally, facility medical staff review individuals for suitability based upon a review of the medical records and the physical examination performed at admission. This recommendation is also forwarded to the Deputy Superintendent.

¹ Effective September 1, 2020, this factor is no longer considered for Court-Ordered individuals based on the *Matzell* decision.

² Effective November 9, 2020, individuals with a mental health level of 3 were eligible to participate in Shock at Lakeview.

Decisions of “Unsuitable” for individuals who volunteer are forwarded to Central Office Classification and Movement for final review by a Classification Analyst and the Director. Decisions of “Unsuitable” for medical reasons are forwarded by Classification and Movement to Central Office Health Services for a final determination.

Decisions of “Suitable” for individuals who volunteer are forwarded to the SORC at Lakeview for the final decision on acceptance into the Shock program (Delegate Decision).

General Confinement Screening

Individuals housed in general confinement facilities are screened for Shock Eligibility and Suitability on the 15th of each month.

Automated Suitability Screening

The results of the screening, again done by automated programs, result in records being written to the PESM system. The criteria for eligibility and automated suitability are the same as detailed above for Reception individuals. Every individual is screened at general confinement at least once.

Individuals determined ineligible at general confinement are not screened for automated suitability and are not continually re-screened on a monthly basis.

Individuals determined unsuitable according to automated criteria are re-screened each month as information related to screening criteria may have changed. For example, an individual with 3.5 years to earliest release will eventually be within 3 years of release, determined suitable based upon that factor and the remaining suitability criteria will be evaluated. A new record is written to the PESM system every month if the unsuitability reason changes.

Manual Suitability Screening

Individuals determined eligible and suitable (automated) are then asked to volunteer and reviewed by the ORC in the same manner as detailed above. The ORC recommendation is forwarded to the SORC and Deputy Superintendent for a final determination. Similarly, facility medical staff review for medical suitability. This recommendation is also forwarded to the Deputy Superintendent.

Decisions of “Unsuitable (Manual)” for individuals who volunteer are reviewed by a Central Office committee to ensure appropriateness.

Decisions of “Suitable” for individuals who volunteer are forwarded to the SORC at Lakeview for the final decision on acceptance (Delegate Decision).

This report focuses on the Shock program since January 1, 2010, since 2010 was the first full year after DOCCS had implemented new Shock screening procedures in response to the 2009 DLR legislation.

SECTION ONE: SHOCK SCREENINGS

Since the inception of Shock, there have been 496,427 different incarcerated individuals whose eligibility and suitability criteria have been screened by DOCCS.

As shown in **Table 1**, among the 121,740 cases that were determined to be statutorily eligible between 2010 and 2020, 48,051 (or 39%) were subsequently determined to be suitable during the automated screening process. The program was offered to 42,028 cases. Among those who were offered the program, 28% refused to participate, while 72% volunteered for the program.

During this time period, 94% of cases determined to be suitable after delegate screening actually began participation in Shock. Among those who participated, 80% graduated from the Shock program.

As of December 31, 2020, 264 individuals determined to be eligible for Shock between 2010 and 2020 were participating in the Shock program.

Table 1
Cases Determined to be Statutorily Eligible for Shock: 2010-2020*
Latest Shock Eligibility Status as of December 31, 2020

SHOCK STATUS	ELIGIBILITY YEAR												2010-2020 TOTALS
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020		
STATUS 10	Eligible	12,528	13,616	12,680	11,780	11,424	11,099	10,949	10,824	10,426	11,648	4,766	121,740
STATUS 20	Automated Suitability Screenings												
	Suitable	6,030	5,630	5,185	4,827	4,707	4,422	4,317	4,218	3,657	3,633	1,425	48,051
	% of Eligible	48.1%	41.3%	40.9%	41.0%	41.2%	39.8%	39.4%	39.0%	35.1%	31.2%	29.9%	39.5%
	Unsuitable	6,432	7,984	7,491	6,950	6,715	6,671	6,630	6,590	6,602	7,755	3,187	73,007
	% of Eligible	51.3%	58.6%	59.1%	59.0%	58.8%	60.1%	60.6%	60.9%	63.3%	66.6%	66.9%	60.0%
	Automated Unsuitability Reason												
	Alt Program < 6 months	0	143	109	112	117	104	123	122	154	202	111	1,297
	Time to Earliest Release (incl. Parole Immed. Elig)	4,637	6,556	6,162	5,723	5,315	5,022	5,012	4,963	4,972	5,592	2,410	56,364
	Waiver Signed (waived program as part of plea)	0	0	0	0	25	65	71	132	90	89	43	515
	Assigned Facility (Specialized Program)	78	92	46	65	79	68	76	93	42	80	39	758
	Institutional Behavior ¹	1,107	432	401	359	436	539	480	417	397	832	178	5,578
	Medical	25	0	0	0	0	0	0	0	0	0	0	25
	OMH Level ²	463	610	588	523	576	684	708	673	737	748	324	6,634
	Sex Offender	122	151	185	168	167	189	160	190	210	210	66	1,818
DNA Refusal	0	0	0	0	0	0	0	0	0	0	1	0	
Previous Participant during Incarceration	0	0	0	0	0	0	0	0	0	1	16	17	
STATUS 30	Offered Participation	5,728	4,931	4,617	4,276	3,951	3,409	3,713	3,811	3,162	3,228	1,202	42,028
Refused Participation	1,842	1,350	1,159	1,059	1,062	1,020	980	952	857	918	463	11,662	
% of Offered Participation	32.2%	27.4%	25.1%	24.8%	26.9%	29.9%	26.4%	25.0%	27.1%	28.4%	38.5%	27.7%	
Volunteered to Participate	3,886	3,581	3,458	3,217	2,889	2,389	2,733	2,859	2,305	2,310	739	30,366	
% of Offered Participation	67.8%	72.6%	74.9%	75.2%	73.1%	70.1%	73.6%	75.0%	72.9%	71.6%	61.5%	72.3%	
STATUS 40	Manual Suitability Screenings												
	Suitable	2,549	1,936	2,003	2,021	1,794	1,741	1,744	1,911	1,617	1,699	570	19,585
	% of Automated Suitables	42.3%	34.4%	38.6%	41.9%	38.1%	39.4%	40.4%	45.3%	44.2%	46.8%	40.0%	40.8%
	Unsuitable	1,660	2,342	2,015	1,708	1,818	1,613	1,540	1,304	1,163	1,008	320	16,491
	% of Automated Suitables	27.5%	41.6%	38.9%	35.4%	38.6%	36.5%	35.7%	30.9%	31.8%	27.7%	22.5%	34.3%
	Manual Unsuitability Reason												
	Time to Earliest Release	15	40	4	4	1	1	5	5	8	9	5	97
	Waiver Signed (waived program as part of plea)	0	0	0	0	0	0	0	0	0	0	1	1
	Assigned Facility (Specialized Program)	11	6	1	0	0	0	0	0	0	0	0	18
	Institutional Behavior ¹	32	95	81	27	26	45	38	11	11	18	3	387
	OMH Level ²	6	13	8	3	4	0	4	3	2	9	9	61
	Sex Offender	9	3	4	5	1	3	0	0	0	2	1	28
	Previous Participant during Incarceration	5	5	5	10	2	2	2	0	0	1	0	32
	Criminal History	349	311	185	130	117	128	98	135	132	110	36	1,731
	Instant Offense	484	508	362	274	298	274	272	264	207	232	72	3,247
	Medical	402	339	350	290	294	223	181	234	151	163	87	2,714
	Security Risk ³	318	839	834	828	845	680	728	599	598	422	99	6,790
Court/DA Recommendation	4	7	0	14	60	27	65	7	8	13	0	205	
Other	2	16	9	7	4	2	5	2	11	8	3	69	
Decision Delayed ⁴	23	160	172	116	166	228	142	44	35	21	4	1,111	
STATUS 50	Delegate Suitability Screenings												
Suitable	2,413	1,816	1,831	1,845	1,614	1,520	1,499	1,700	1,466	1,528	515	17,747	
% of Manual Suitables	94.7%	93.8%	91.4%	91.3%	90.0%	87.3%	86.0%	89.0%	90.7%	89.9%	90.4%	90.6%	
Unsuitable	208	155	179	193	189	233	265	237	154	176	56	2,045	
% of Manual Suitables	8.2%	8.0%	8.9%	9.5%	10.5%	13.4%	15.2%	12.4%	9.5%	10.4%	9.8%	10.4%	
Delegate Unsuitability Reason													
Time to Earliest Release	5	1	1	3	3	5	6	12	11	11	3	61	
Institutional Behavior ¹	5	5	5	10	9	21	24	15	7	8	5	114	
OMH Level ²	3	4	3	3	2	1	1	1	3	5	3	29	
Sex Offender	0	0	0	0	0	0	0	0	0	0	0	0	
DNA Refusal	0	1	0	0	0	0	0	0	0	0	0	1	
Previous Participant during Incarceration	1	0	0	0	0	0	1	0	0	0	0	2	
Criminal History	12	5	9	5	1	6	9	16	14	10	1	88	
Instant Offense	39	23	7	7	8	9	10	10	8	9	0	130	
Medical	66	59	71	73	78	82	84	86	86	101	36	822	
Security Risk ³	75	57	80	90	87	106	125	96	24	30	8	778	
Court/DA Recommendation	1	0	1	0	0	3	4	1	1	0	0	11	
Other	1	0	2	2	1	0	1	0	0	2	0	9	
Decision Delayed ⁴	0	0	0	0	0	0	0	0	0	0	0	0	
STATUS 60 & STATUS 70	Started Shock Program	2,236	1,700	1,773	1,787	1,552	1,462	1,417	1,581	1,383	1,414	393	16,698
% of Delegate Suitables	92.7%	93.6%	96.8%	96.9%	96.2%	96.2%	94.5%	93.0%	94.3%	92.5%	76.3%	94.1%	
Graduated	1,806	1,439	1,489	1,487	1,288	1,208	1,163	1,268	1,060	1,042	147	13,397	
% of Started Program	80.8%	84.6%	84.0%	83.2%	83.0%	82.6%	82.1%	80.2%	76.6%	73.7%	37.4%	80.2%	
Removed	430	261	284	300	264	249	252	304	307	313	73	3,037	
% of Started Program	19.2%	15.4%	16.0%	16.8%	17.0%	17.0%	17.8%	19.2%	22.2%	22.1%	18.6%	18.2%	
In Program on December 31, 2020	0	0	0	0	0	5	2	9	16	59	173	264	
% of Started Program	0.0%	0.0%	0.0%	0.0%	0.0%	0.3%	0.1%	0.6%	1.2%	4.2%	44.0%	1.6%	

* Individuals may have been determined to be statutorily eligible more than once. Suitability screenings, volunteer statuses, and program starts may not have occurred in the same year as the eligibility determination. In some reception centers, the manual suitability screening occurs prior to offering participation in Shock. Information presented is based on data from January 2021.

¹ Effective September 1, 2020, individuals who had been court-ordered to Shock were not screened for suitability due to Institutional Behavior.

² Effective November 9, 2020, Lakeview became an OMH Level 3 facility.

³ Includes Alien, Escape Risk, Public Risk, and Executive Review.

⁴ Includes Medical Hold, Maternity Hold, and Re-Evaluate in 6 Months.

Note: this table should **not** be used to report on annual Shock enrollment or graduate figures.

Table 2 presents the breakdown by sex for the incarcerated individuals determined to be statutorily eligible for Shock since 2010. A larger proportion of females (67%) than males (59%) were determined to be unsuitable during the automated screening process. When offered the opportunity to participate in Shock, males and females refused to participate at the same rate (28%). Among the population deemed suitable through automated screenings, a larger percentage of females were also found to be suitable during the manual screening process (54%) compared with males (39%).

Table 2
Cases Determined to be Statutorily Eligible for Shock by Sex: 2010-2020*
Latest Shock Eligibility Status as of December 31, 2020

SHOCK STATUS		SEX		2010-2020
		MALES	FEMALES	TOTALS
STATUS 10	Eligible	108,092	13,648	121,740
STATUS 20	Automated Suitability Screenings			
	Suitable	43,591	4,460	48,051
	% of Eligible	40.3%	32.7%	39.5%
	Unsuitable	63,908	9,099	73,007
	% of Eligible	59.1%	66.7%	60.0%
	Automated Unsuitability Reason			
	<i>Alt Program < 6 months</i>	1,139	158	1,297
	<i>Time to Earliest Release (incl. Parole Immed. Elig)</i>	49,608	6,756	56,364
	<i>Waiver Signed (waived program as part of plea)</i>	503	12	515
	<i>Assigned Facility (Specialized Program)</i>	638	120	758
	<i>Institutional Behavior¹</i>	5,286	292	5,578
	<i>Medical</i>	25	0	25
	<i>OMH Level²</i>	4,909	1,725	6,634
	<i>Sex Offender</i>	1,782	36	1,818
<i>DNA Refusal</i>	1	0	1	
<i>Previous Participant during Incarceration</i>	17	0	17	
STATUS 30	Offered Participation	37,615	4,413	42,028
	Refused Participation	10,433	1,229	11,662
	% of Offered Participation	27.7%	27.8%	27.7%
	Volunteered to Participate	27,182	3,184	30,366
	% of Offered Participation	72.3%	72.2%	72.3%
STATUS 40	Manual Suitability Screenings			
	Suitable	17,189	2,396	19,585
	% of Automated Suitables	39.4%	53.7%	40.8%
	Unsuitable	15,764	727	16,491
	% of Automated Suitables	36.2%	16.3%	34.3%
	Manual Unsuitability Reason			
	<i>Time to Earliest Release</i>	90	7	97
	<i>Waiver Signed (waived program as part of plea)</i>	1	0	1
	<i>Assigned Facility (Specialized Program)</i>	18	0	18
	<i>Institutional Behavior¹</i>	367	20	387
	<i>OMH Level²</i>	53	8	61
	<i>Sex Offender</i>	26	2	28
	<i>Previous Participant during Incarceration</i>	32	0	32
	<i>Criminal History</i>	1,695	36	1,731
	<i>Instant Offense</i>	3,114	133	3,247
	<i>Medical</i>	2,463	251	2,714
<i>Security Risk³</i>	6,609	181	6,790	
<i>Court/DA Recommendation</i>	199	6	205	
<i>Other</i>	58	11	69	
<i>Decision Delayed⁴</i>	1,039	72	1,111	
STATUS 50	Delegate Suitability Screenings			
	Suitable	15,541	2,206	17,747
	% of Manual Suitables	90.4%	92.1%	90.6%
	Unsuitable	1,839	206	2,045
	% of Manual Suitables	10.7%	8.6%	10.4%
	Delegate Unsuitability Reason			
	<i>Time to Earliest Release</i>	54	7	61
	<i>Institutional Behavior¹</i>	102	12	114
	<i>OMH Level²</i>	23	6	29
	<i>Sex Offender</i>	0	0	0
	<i>DNA Refusal</i>	1	0	1
	<i>Previous Participant during Incarceration</i>	2	0	2
	<i>Criminal History</i>	81	7	88
	<i>Instant Offense</i>	112	18	130
	<i>Medical</i>	735	87	822
	<i>Security Risk³</i>	713	65	778
<i>Court/DA Recommendation</i>	9	2	11	
<i>Other</i>	7	2	9	
<i>Decision Delayed⁴</i>	0	0	0	
STATUS 60 & STATUS 70	Started Shock Program	14,630	2,068	16,698
	% of Delegate Suitables	94.1%	93.7%	94.1%
	Graduated	11,707	1,690	13,397
	% of Started Program	80.0%	81.7%	80.2%
	Removed	2,699	338	3,037
	% of Started Program	18.4%	16.3%	18.2%
	In Program on December 31, 2020	224	40	264
	% of Started Program	1.5%	1.9%	1.9%

* Individuals may have been determined to be statutorily eligible more than once. Suitability screenings, volunteer statuses, and program starts may not have occurred in the same year as the eligibility determination. In some reception centers, the manual suitability screening occurs prior to offering participation in Shock. Information presented is based on data from January 2021.

¹ Effective September 1, 2020, individuals who had been court-ordered to Shock were not screened for suitability due to Institutional Behavior.

² Effective November 9, 2020, Lakeview became an OMH Level 3 facility.

³ Includes Alien, Escape Risk, Public Risk, and Executive Review.

⁴ Includes Medical Hold, Maternity Hold, and Re-Evaluate in 6 Months.

Note: this table should **not** be used to report on cumulative Shock enrollment or graduate figures.

SECTION TWO: SHOCK PARTICIPANTS, GRADUATES & REMOVALS

After the implementation of DLR legislation in 2009, there was an increase in the graduation rate amongst those who participated, compared with those who enrolled prior to 2010.³

Table 3 presents the status of all Shock participants. Among those who enrolled in Shock between 1987 and 2009, the graduation rate was 72%, with males graduating at higher rates than females (73% and 63%, respectively). Among those who enrolled in Shock between 2010 and 2020, the graduation rate was 80%, with females graduating at higher rates than males (82% and 80%, respectively). Compared with the 1987-2009 enrollments, the removal rate decreased from 28% to 18%, with the decrease experienced most notably among female participants. Since the beginning of the Shock program, there were 75,577 cumulative participants, with a graduation rate of 74%. Cumulatively, males graduated at higher rates (75%) than females (69%).

Table 3
Status of Shock Participants

	ENROLLMENTS SEP 1987 - DEC 2009			ENROLLMENTS JAN 2010 - DEC 2020			CUMULATIVE ENROLLMENTS SEP 1987 - DEC 2020		
	Male	Female	TOTAL	Male	Female	TOTAL	Male	Female	TOTAL
Enrollments	52,783	4,813	57,596	15,776	2,205	17,981	68,559	7,018	75,577
Graduates*	38,594	3,037	41,631	12,630	1,807	14,437	51,224	4,844	56,068
<i>% of Enrollments</i>	<i>73.1%</i>	<i>63.1%</i>	<i>72.3%</i>	<i>80.1%</i>	<i>82.0%</i>	<i>80.3%</i>	<i>74.7%</i>	<i>69.0%</i>	<i>74.2%</i>
Removals	14,189	1,776	15,965	2,922	358	3,280	17,111	2,134	19,245
<i>% of Enrollments</i>	<i>26.9%</i>	<i>36.9%</i>	<i>27.7%</i>	<i>18.5%</i>	<i>16.2%</i>	<i>18.2%</i>	<i>25.0%</i>	<i>30.4%</i>	<i>25.5%</i>
Current Participants**	0	0	0	224	40	264	224	40	264
<i>% of Enrollments</i>	<i>0.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>1.4%</i>	<i>1.8%</i>	<i>1.5%</i>	<i>0.3%</i>	<i>0.6%</i>	<i>0.3%</i>

* Graduates are not necessarily released early from custody.

** As of December 31, 2020.

³ Because of its early release component and the public safety record amongst its graduates, it was estimated that the Program had saved the taxpayers of New York State over \$1.3 billion prior to 2010.

The remainder of this section will be limited to Shock enrollments since 2010, regardless of when participants were determined to be statutorily eligible.⁴

Table 4 presents the annual enrollments by sex for Shock enrollments between 2010 and 2020. Females constituted 12% of Shock participants.

**Table 4
Annual Enrollments by Sex: 2010-2020**

	Male		Female		TOTAL
	#	%	#	%	
2010	1,825	91.0%	181	9.0%	2,006
2011	1,839	91.0%	182	9.0%	2,021
2012	1,723	86.2%	276	13.8%	1,999
2013	1,630	87.3%	237	12.7%	1,867
2014	1,448	86.6%	224	13.4%	1,672
2015	1,392	86.2%	223	13.8%	1,615
2016	1,230	85.4%	211	14.6%	1,441
2017	1,303	86.5%	203	13.5%	1,506
2018	1,338	86.0%	218	14.0%	1,556
2019	1,198	88.5%	156	11.5%	1,354
2020	850	90.0%	94	10.0%	944
TOTAL	15,776	87.7%	2,205	12.3%	17,981

The next few tables display characteristics by sex for the Shock enrollments since 2010, including regions of the state from which participants were sentenced, the top commitment offense, and age at enrollment.

⁴ Since the DLR legislation allows an individual to become eligible for Shock once they are within three years of their earliest release date, individuals may have been screened as statutorily eligible prior to 2010, but enrolled in Shock at a later date.

Table 5
Region of Commitment by Sex
2010-2020 Shock Enrollments

	Male		Female		TOTAL	
	#	%	#	%	#	%
New York City	4,181	26.5%	330	15.0%	4,511	25.1%
Suburban New York	1,242	7.9%	98	4.4%	1,340	7.5%
Upstate Urban	4,188	26.5%	527	23.9%	4,715	26.2%
Upstate Other	6,165	39.1%	1,250	56.7%	7,415	41.2%
TOTAL	15,776	100%	2,205	100%	17,981	100%

Table 6
Top Commitment Offense by Sex
2010-2020 Shock Enrollments

	Male		Female		TOTAL	
	#	%	#	%	#	%
Att Assault 2	15	0.1%	1	0.0%	16	0.1%
Burglary 2, sub 2 ⁵	129	0.8%	9	0.4%	138	0.8%
Burglary 3	1,740	11.0%	152	6.9%	1,892	10.5%
Conspiracy 2, 3, 4	157	1.0%	31	1.4%	188	1.0%
Contempt 1st	67	0.4%	6	0.3%	73	0.4%
DWI	1,046	6.6%	132	6.0%	1,178	6.6%
Drug Offenses	8,039	51.0%	1,110	50.3%	9,149	50.9%
Forgery	520	3.3%	161	7.3%	681	3.8%
Grand Larceny	1,019	6.5%	299	13.6%	1,318	7.3%
Other Coercive	39	0.2%	8	0.4%	47	0.3%
Other Felonies	512	3.2%	166	7.5%	678	3.8%
Robbery 2, sub 1 ⁵	35	0.2%	2	0.1%	37	0.2%
Robbery 3	453	2.9%	28	1.3%	481	2.7%
Stolen Property	330	2.1%	46	2.1%	376	2.1%
Weapons Offenses	460	2.9%	11	0.5%	471	2.6%
Youthful Offenders	1,215	7.7%	43	2.0%	1,258	7.0%
TOTAL	15,776	100%	2,205	100%	17,981	100%

⁵ In 2019, the legislature amended the law so that individuals convicted of Burglary 2, subdivision 2 or Robbery 2, subdivision 1 were no longer precluded from the Shock program.

Table 7
Age at Enrollment by Sex
2010-2020 Shock Enrollments

	Male		Female		TOTAL	
	#	%	#	%	#	%
20 years or younger	1,909	12.1%	82	3.7%	1,991	11.1%
21-24 years	3,183	20.2%	337	15.3%	3,520	19.6%
25-29 years	4,082	25.9%	562	25.5%	4,644	25.8%
30-35 years	3,091	19.6%	504	22.9%	3,595	20.0%
36-40 years	1,849	11.7%	371	16.8%	2,220	12.3%
40-44 years	1,038	6.6%	221	10.0%	1,259	7.0%
45 years or older	624	4.0%	128	5.8%	752	4.2%
TOTAL	15,776	100%	2,205	100%	17,981	100%
<i>Mean Age</i>	<i>29 years</i>		<i>32 years</i>		<i>30 years</i>	
<i>Median Age</i>	<i>28 years</i>		<i>31 years</i>		<i>29 years</i>	

When compared with male participants, at the time of enrollment in Shock, female participants were slightly older and more likely to be committed from non-urban areas of Upstate New York. Those differences were not as prominent for the top offense. Half of the male and female participants had a drug offense as their top commitment offense. Females were more likely to have been admitted for grand larceny or forgery than males, while males were more likely to have been admitted for burglary, weapons offenses, or as Youthful Offenders.

Table 8 presents the annual numbers of graduations by sex for the participants who enrolled in Shock since 2010. Females constituted 13% of Shock graduates, slightly higher than the 12% of participants they comprised.

Table 8
Graduation Year by Sex
Graduates Among 2010-2020 Shock Enrollments

	Male		Female		TOTAL
	#	%	#	%	
2010	729	90.4%	77	9.6%	806
2011	1,654	92.0%	143	8.0%	1,797
2012	1,404	87.3%	205	12.7%	1,609
2013	1,418	86.9%	214	13.1%	1,632
2014	1,312	86.5%	205	13.5%	1,517
2015	1,159	87.9%	159	12.1%	1,318
2016	1,042	84.3%	194	15.7%	1,236
2017	1,066	86.8%	162	13.2%	1,228
2018	1,041	83.3%	208	16.7%	1,249
2019	925	87.4%	133	12.6%	1,058
2020	880	89.2%	107	10.8%	987
TOTAL	12,630	87.5%	1,807	12.5%	14,437

Table 9 shows the annual removals among the participants screened who enrolled in Shock since 2010, while **Table 10** displays the removal reason. Females constituted 11% of Shock removals.

For both male and female participants, institutional behavior/discipline was the most common removal reason (45%). The second most common removal reason for male participants was a voluntary request to be removed from the program (24%). For female participants, removal due to medical reasons (18%) was the second most frequent removal reason.

Table 9
Removal Year by Sex
Shock Removals Among 2010-2020 Shock Enrollments

	Male		Female		TOTAL
	#	%	#	%	
2010	286	88.0%	39	12.0%	325
2011	343	87.7%	48	12.3%	391
2012	280	90.0%	31	10.0%	311
2013	273	86.9%	41	13.1%	314
2014	234	86.3%	37	13.7%	271
2015	257	87.7%	36	12.3%	293
2016	220	88.4%	29	11.6%	249
2017	237	89.8%	27	10.2%	264
2018	339	91.6%	31	8.4%	370
2019	272	91.9%	24	8.1%	296
2020	181	92.3%	15	7.7%	196
TOTAL	2,922	89.1%	358	10.9%	3,280

Table 10
Removal Reason by Sex
Shock Removals Among 2010-2020 Shock Enrollments

	Male		Female		TOTAL	
	#	%	#	%	#	%
Discipline	1,299	44.5%	161	45.0%	1,460	44.5%
Ineligible due to New Information	75	2.6%	10	2.8%	85	2.6%
Medical	144	4.9%	64	17.9%	208	6.3%
Mental Health	26	0.9%	7	2.0%	33	1.0%
Out to Court	6	0.2%	0	0.0%	6	0.2%
Parole Hold	188	6.4%	1	0.3%	189	5.8%
Parole/Early Out	17	0.6%	0	0.0%	17	0.5%
Released while Enrolled	211	7.2%	26	7.3%	237	7.2%
Security Risk	2	0.1%	0	0.0%	2	0.1%
Transferred while Enrolled	36	1.2%	7	2.0%	43	1.3%
Unsatisfactory Adjustment	193	6.6%	35	9.8%	228	7.0%
Unsuitable due to New Information	15	0.5%	3	0.8%	18	0.5%
Volunteered Out	688	23.5%	39	10.9%	727	22.2%
Other	22	0.8%	5	1.4%	27	0.8%
TOTAL	2,922	100%	358	100%	3,280	100%

Among those enrolled in Shock between 2010 and 2020, there were 264 active participants in Shock on December 31, 2020. Their demographic characteristics are provided in **Table 11** below.

Table 11
Demographics Characteristics of Shock Participants on December 31, 2020

	Male		Female		TOTAL	
	#	%	#	%	#	%
Age						
20 years or younger	4	1.8%	0	0.0%	4	1.5%
21-24 years	21	9.4%	7	17.5%	28	10.6%
25-29 years	42	18.8%	8	20.0%	50	18.9%
30-35 years	51	22.8%	8	20.0%	59	22.3%
36-40 years	43	19.2%	9	22.5%	52	19.7%
40-44 years	34	15.2%	3	7.5%	37	14.0%
45 years or older	29	12.9%	5	12.5%	34	12.9%
<i>Mean Age</i>	35 years		34 years		35 years	
<i>Median Age</i>	34 years		33 years		34 years	
Race/Ethnicity						
White	80	35.7%	23	57.5%	103	39.0%
African American	98	43.8%	12	30.0%	110	41.7%
Hispanic	42	18.8%	4	10.0%	46	17.4%
Native American	1	0.4%	1	2.5%	2	0.8%
Other	3	1.3%	0	0.0%	3	1.1%
Region						
New York City	39	17.4%	3	7.5%	42	15.9%
Suburban New York	25	11.2%	2	5.0%	27	10.2%
Upstate Urban	68	30.4%	7	17.5%	75	28.4%
Upstate Other	92	41.1%	28	70.0%	120	45.5%
Top Commitment Offense						
Burglary 2, sub 2	16	7.1%	2	5.0%	18	6.8%
Burglary 3	15	6.7%	2	5.0%	17	6.4%
Conspiracy 2, 3, 4,	2	0.9%	0	0.0%	2	0.8%
Contempt 1st	1	0.4%	0	0.0%	1	0.4%
DWI	10	4.5%	0	0.0%	10	3.8%
Drug Offenses	148	66.1%	30	75.0%	178	67.4%
Forgery	6	2.7%	2	5.0%	8	3.0%
Grand Larceny	3	1.3%	3	7.5%	6	2.3%
Other Coercive	1	0.4%	0	0.0%	1	0.4%
Other Felonies	4	1.8%	0	0.0%	4	1.5%
Robbery 2, sub 1	4	1.8%	1	2.5%	5	1.9%
Robbery 3	4	1.8%	0	0.0%	4	1.5%
Stolen Property	3	1.3%	0	0.0%	3	1.1%
Weapons Offenses	7	3.1%	0	0.0%	7	2.7%
TOTAL	224	100%	40	100%	264	100%

Note: Percentages may not add to 100% due to rounding

SECTION THREE: COURT-ORDERED SHOCK

The DLR permitted the sentencing court to order DOCCS to enroll a convicted individual into Shock when the individual is statutorily eligible. This court order only applies to the incarceration as a new commitment and is not applicable when an individual returns to custody.

As shown in **Table 12**, the majority of the 3,322 cases who were court-ordered to participate in Shock programming and were screened for eligibility between 2010 and 2020 were determined to be statutorily eligible.

Table 12
Eligibility Status for Court-Ordered Shock Cases Screened for Eligibility:
2010-2020

ELIGIBILITY STATUS	Male		Female		TOTAL	
	#	%	#	%	#	%
Eligible	2,689	94.5%	464	97.1%	3,153	94.9%
Ineligible	155	5.5%	14	2.9%	169	5.1%
TOTAL COURT ORDERED	2,844	100.0%	478	100.0%	3,322	100.0%

Table 13 provides the same information as in **Table 1**, but for only the 3,153 court-ordered Shock cases determined to be statutorily eligible between 2010 and 2020 that were incarcerated following a new felony conviction. Of these, 2,479 (or 79%) were subsequently determined to be suitable for Shock during the automated screening process. The program was offered to 2,439 cases. Among those who were offered the program, 6% refused to participate, while 94% volunteered for the program. Of those who participated in Shock, 86% graduated, compared with 80% of all Shock enrollments between 2010 and 2020.

Table 13
Court-Ordered Cases Determined to be Statutorily Eligible for Shock: 2010-2020*
Latest Shock Eligibility Status as of December 31, 2020

SHOCK STATUS		ELIGIBILITY YEAR											2010-2020 TOTALS
		2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	
STATUS 10	Eligible	235	304	258	313	317	355	295	336	317	314	109	3,153
STATUS 20	Automated Suitability Screenings												
	Suitable	213	267	221	252	253	272	220	258	222	222	79	2,479
	% of Eligible	90.6%	87.8%	85.7%	80.5%	79.8%	76.6%	74.6%	76.8%	70.0%	70.7%	72.5%	78.6%
	Unsuitable	22	37	37	61	63	82	75	77	90	85	29	658
	% of Eligible	9.4%	12.2%	14.3%	19.5%	19.9%	23.1%	25.4%	22.9%	28.4%	27.1%	26.6%	20.9%
	Automated Unsuitability Reason												
	Alt Program < 6 months	0	0	0	0	0	0	0	0	0	0	0	0
	Time to Earliest Release (incl. Parole Immed. Elig)	17	25	30	50	51	59	48	52	66	67	20	485
	Waiver Signed (waived program as part of plea)	0	0	0	0	0	0	0	0	0	0	0	0
	Assigned Facility (Specialized Program)	0	0	0	0	2	0	0	1	0	1	0	4
	Institutional Behavior ¹	1	7	4	7	6	13	15	13	10	8	4	88
	Medical	0	0	0	0	0	0	0	0	0	0	0	0
	OMH Level ²	4	5	3	4	4	10	12	8	12	7	3	72
	Sex Offender	0	0	0	0	0	0	0	3	2	2	2	9
	DNA Refusal	0	0	0	0	0	0	0	0	0	0	0	0
	Previous Participant during Incarceration	0	0	0	0	0	0	0	0	0	0	0	0
STATUS 30	Offered Participation	211	264	223	250	250	259	214	253	221	218	76	2,439
	Refused Participation	5	12	14	12	18	15	23	20	13	11	7	150
	% of Offered Participation	2.4%	4.5%	6.3%	4.8%	7.2%	5.8%	10.7%	7.9%	5.9%	5.0%	9.2%	6.2%
	Volunteered to Participate	206	252	209	238	232	244	191	233	208	207	69	2,289
	% of Offered Participation	97.6%	95.5%	93.7%	95.2%	92.8%	94.2%	89.3%	92.1%	94.1%	95.0%	90.8%	93.8%
STATUS 40	Manual Suitability Screenings												
	Suitable	199	246	202	234	230	242	190	228	206	208	67	2,252
	% of Automated Suitables	93.4%	92.1%	91.4%	92.9%	90.9%	89.0%	86.4%	88.4%	92.8%	93.7%	84.8%	90.8%
	Unsuitable	5	10	4	5	6	13	8	10	3	3	2	69
	% of Automated Suitables	2.3%	3.7%	1.8%	2.0%	2.4%	4.8%	3.6%	3.9%	1.4%	1.4%	2.5%	2.8%
	Manual Unsuitability Reason												
	Time to Earliest Release	1	0	0	0	0	0	0	0	0	0	0	1
	Waiver Signed (waived program as part of plea)	0	0	0	0	0	0	0	0	0	0	0	0
	Assigned Facility (Specialized Program)	0	0	0	0	0	0	0	0	0	0	0	0
	Institutional Behavior ¹	0	0	0	2	1	0	0	2	0	0	1	6
	OMH Level ²	0	0	0	0	1	0	1	0	0	0	0	2
	Sex Offender	0	0	0	0	0	0	0	0	0	0	0	0
	Previous Participant during Incarceration	0	0	0	0	0	0	0	0	0	0	0	0
	Criminal History	1	1	1	0	1	4	1	2	1	0	1	13
	Instant Offense	0	0	0	0	0	1	0	1	1	0	0	3
	Medical	3	6	2	1	1	7	2	3	0	2	0	27
	Security Risk ³	0	0	1	1	1	1	2	2	1	1	0	10
	Court/DA Recommendation	0	0	0	1	0	0	0	0	0	0	0	1
	Other	0	1	0	0	0	0	0	0	0	0	0	1
	Decision Delayed ⁴	0	2	0	0	1	0	2	0	0	0	0	5
STATUS 50	Delegate Suitability Screenings												
	Suitable	201	246	202	233	229	240	187	227	201	207	65	2,238
	% of Manual Suitables	101.0%	100.0%	100.0%	99.6%	99.6%	99.2%	98.4%	99.6%	97.6%	99.5%	97.0%	99.4%
	Unsuitable	0	0	0	2	2	3	2	2	3	2	0	16
	% of Manual Suitables	0.0%	0.0%	0.0%	0.9%	0.9%	1.2%	1.1%	0.9%	1.5%	1.0%	0.0%	0.7%
	Delegate Unsuitability Reason												
	Time to Earliest Release	0	0	0	0	0	0	0	0	0	0	0	0
	Institutional Behavior ¹	0	0	0	0	0	1	0	0	0	0	0	1
	OMH Level ²	0	0	0	0	0	0	0	0	0	0	0	0
	Sex Offender	0	0	0	0	0	0	0	0	0	0	0	0
	DNA Refusal	0	0	0	0	0	0	0	0	0	0	0	0
	Previous Participant during Incarceration	0	0	0	0	0	0	0	0	0	0	0	0
	Criminal History	0	0	0	0	0	0	1	1	1	0	0	3
	Instant Offense	0	0	0	0	0	0	1	0	1	1	0	3
	Medical	0	0	0	1	1	2	0	1	1	1	0	7
	Security Risk ³	0	0	0	1	1	0	0	0	0	0	0	2
	Court/DA Recommendation	0	0	0	0	0	0	0	0	0	0	0	0
	Other	0	0	0	0	0	0	0	0	0	0	0	0
	Decision Delayed ⁴	0	0	0	0	0	0	0	0	0	0	0	0
STATUS 60 & STATUS 70	Started Shock Program	196	240	200	229	223	235	181	218	196	199	57	2,174
	% of Delegate Suitables	97.5%	97.6%	99.0%	98.3%	97.4%	97.9%	96.8%	96.0%	97.5%	96.1%	87.7%	97.1%
	Graduated	174	213	185	204	200	206	161	183	166	168	15	1,875
	% of Started Program	88.8%	88.8%	92.5%	89.1%	89.7%	87.7%	89.0%	83.9%	84.7%	84.4%	26.3%	86.2%
	Removed	22	27	15	25	23	29	20	34	30	25	10	260
	% of Started Program	11.2%	11.3%	7.5%	10.9%	10.3%	12.3%	11.0%	15.6%	15.3%	12.6%	17.5%	12.0%
	In Program on December 31, 2020	0	0	0	0	0	0	0	1	0	6	32	39
	% of Started Program	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.5%	0.0%	3.0%	56.1%	1.8%

* Individuals may have been determined to be statutorily eligible more than once, but only those eligibility screenings that occurred during an incarceration as a new commitment are included in this analysis as court orders are not applicable when an individual returns to custody. Suitability screenings, volunteer statuses, and program starts may not have occurred in the same year as the eligibility determination. In some reception centers, the manual suitability screening occurs prior to offering participation in Shock. Information presented is based on data from January 2021.

¹ Effective September 1, 2020, individuals who had been court-ordered to Shock were not screened for suitability due to Institutional Behavior.

² Effective November 9, 2020, Lakeview became an OMH Level 3 facility.

³ Includes Alien, Escape Risk, Public Risk, and Executive Review.

⁴ Includes Medical Hold, Maternity Hold, and Re-Evaluate in 6 Months.

Note: this table should **not** be used to report on annual Shock enrollment or graduate figures.

SECTION FOUR: PAROLE BOARD APPROVAL RATES

The Board of Parole has two primary responsibilities with regard to Shock participants. The first is the meticulous case-by-case review of participants being considered for discretionary release. The second is to establish the conditions of release for each incarcerated individual being released to community supervision.

There are two major mechanisms through which Shock participants are released to parole supervision in the community:

- 1) the individual's release by authority of the Board of Parole;
- 2) the individual's conditional release, which is required by statute after the incarcerated individual has served the maximum or determinate sentence, less any earned good time credits.

For individuals conditionally released, the Board of Parole does not make a release decision, but establishes release conditions through its review process.

Table 14 presents the number of Board of Parole interviews (Shock Interviews) and condition-setting reviews for conditional releases (CRC-Shock Reviews) between 2010 and 2020.

**Table 14
Shock-Related Parole Board Actions: 2010-2020**

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	TOTAL
Shock Interviews	1,059	1,029	872	947	836	678	649	627	575	460	405	8,137
Granted Release	954	893	752	803	650	541	554	530	481	393	327	6,878
% Approved	90.1%	86.8%	86.2%	84.8%	77.8%	79.8%	85.4%	84.5%	83.7%	85.4%	80.7%	84.5%
CRC-Shock Reviews	669	752	757	720	689	625	597	584	675	553	537	7,158
Parole Board Workload for Shock Participants	1,728	1,781	1,629	1,667	1,525	1,303	1,246	1,211	1,250	1,013	942	15,295

The percentage of Shock participants approved for early release decreased from 90% in 2010 to 81% in 2020. The number of Shock interviews conducted by the Board also decreased by 62% during that same time period.

While the number of Conditional Release Shock reviews also decreased, the nature of the Parole Board workload has changed since 2010. In 2010, the discretionary interviews comprised 61% of the Shock-related workload, but by 2018 declined to less than half (46%). In 2020, discretionary interviews represented 43% of the Shock-related workload.

SECTION FIVE: PROGRAM SAVINGS

Because of its early release component and the public safety record amongst its graduates, it was estimated that the Shock program had saved the taxpayers of New York State over \$1.3 billion in its first 23 years of operation. There were 40,696 individuals who graduated from Shock and were released early from DOCCS through 2009.

Of those who graduated from Shock and were released from custody early between 2010 and 2020, there have been 13,737 early releases from DOCCS, yielding an estimate of over \$246 million in program savings.

Table 15
Early Releases Due to Shock Completion

	Graduates Released Early	Program Savings
Released 1987-2009	40,696	\$1,340,000,000
Released 2010-2020	13,737	\$246,622,326
TOTAL EARLY RELEASES	54,433	\$1,586,622,326

Cumulatively, since the Shock Incarceration Program's inception, it is estimated that the early release of Shock graduates has saved the State approximately \$1.59 billion. On average, individuals were released 14 months early due to their successful completion of Shock.

SECTION SIX: RECIDIVISM AT THREE YEARS AFTER RELEASE

This section presents return-to-custody information on three cohorts (Shock Graduates and two comparison groups) comprised of individuals who were released from DOCCS facilities between 2010 and 2016 following a Shock event, regardless of when the Shock event occurred. Each individual was followed for three years after release.

Description of the Shock Categories

Shock Graduates are individuals who participated in and successfully completed the Shock program prior to release. *Shock Removals* are individuals who participated in Shock but were removed from the program prior to completion. *Shock Refusals* are individuals who met the Shock eligibility and suitability criteria, but declined to participate in the program when offered.

Description of Releases

There are several types of releases from DOCCS' facilities. For example, individuals may be temporarily released to a mental health facility, non-citizen individuals may be deported, individuals may be paroled or they may complete their sentence. Consistent with other follow-up studies conducted by the Department, this study includes only the sanctioned release or discharge of an individual to the community due to:

- A. the expiration of a sentence with no requirement of supervision in the community;
- B. the individual's release by authority of the Board of Parole;
- C. the individual's conditional release, which is required by statute after serving the maximum or determinate sentence, less any earned good time credits.

The release which triggered inclusion in the follow-up study is not necessarily the first time the individual was released from DOCCS' custody while serving the current sentence.⁶ DOCCS makes a concerted effort to offer the Shock program to all eligible and suitable incarcerated individuals upon admission to a reception center, and, if appropriate, once again after an individual has been transferred to a general confinement facility. Nothing prevents a parole violator from enrolling in Shock, even if they have participated in – and perhaps successfully completed – the program previously. Additionally, it is not uncommon for a previous participant to decline to participate when offered at a later time. As such, each Shock record was matched to the appropriate release record to ensure that the “best termination event” would be selected for inclusion in the follow-up analysis. For example, an individual's Shock graduation record ranked higher than either a removal or a refusal while an individual's removal record ranked higher than a refusal record. For those individuals with multiple records within Shock categories, the first release date within the Shock category was selected.

⁶ Approximately 5% of individuals included in the follow-up study had been previously released to the community and returned to DOCCS' custody as parole violators at the time they either participated in Shock or refused the opportunity.

Returns to New York State DOCCS' Custody

Although there are many ways to measure recidivism (e.g., re-arrest, re-conviction, and re-incarceration), this study defines recidivism as a return to DOCCS' custody (excluding returns of individuals under parole supervision returned for program participation). Once individuals are given a sanctioned release to the community, there are two ways that they can be readmitted to DOCCS' custody. A *New Court Commitment* returns to DOCCS' custody after receiving a new felony conviction and a new sentence. A *Returned Parole Violator* is returned to DOCCS' custody to continue serving time on a remaining sentence after having violated the conditions of parole supervision. The type of behavior for which an individual can be returned to custody as a parole violator includes: absconding from supervision, being arrested, and/or violating the conditions of supervision in an important respect.

Return data presented in this section reflects an individual's first return to custody within three years of their release affiliated with the "best termination event." Return rates are related to release type; parolees and conditional releases remain under community supervision until the maximum expiration of their incarceration and post-release supervision sentences and therefore may be returned to DOCCS' custody for violating the conditions of parole supervision, as well as for a new felony conviction. Individuals who complete their maximum sentence, however, are not under parole supervision after their release, and can only return for committing a new felony offense.

As shown in **Table 16**, there were 19,586 individuals who were both statutorily eligible and suitable and either participated in Shock or refused when offered the opportunity to participate who were released from DOCCS to the community between 2010 and 2016. Of these, 10,576 (54%) were released from DOCCS after Shock graduation, 1,953 (10%) were released from DOCCS after removal from Shock, and 7,057 (36%) were released following a Shock refusal. Less than one-third of the Shock groups had been returned to prison within three years, with the Graduates having the lowest return rate (27%) compared with Refusals (37%) and Removals (42%).

Table 16
Returns to Custody by Shock Category:
2010-2016 Graduates, Removals and Refusals
Released from DOCCS to the Community

Shock Category	Total Released		Returns		No Return	
			#	%	#	%
TOTAL PARTICIPANTS & REFUSALS*	19,586	100.0%	6,272	32.0%	13,314	68.0%
Shock Graduates	10,576	54.0%	2,813	26.6%	7,763	73.4%
Shock Removals	1,953	10.0%	815	41.7%	1,138	58.3%
Shock Refusals	7,057	36.0%	2,644	37.5%	4,413	62.5%

* Among those both statutorily eligible and suitable to participate in Shock.

The return rates for each Shock category have been relatively stable over the past seven years as illustrated in **Figure 1**. Graduates and Refusals followed the same trend as the total return rates, while the return rate among the Removals had more variability. Across all release years, Graduates returned at lower rates than both Removals and Refusals.

Figure 1
Three-Year Return Rates by Shock Category by Release Year

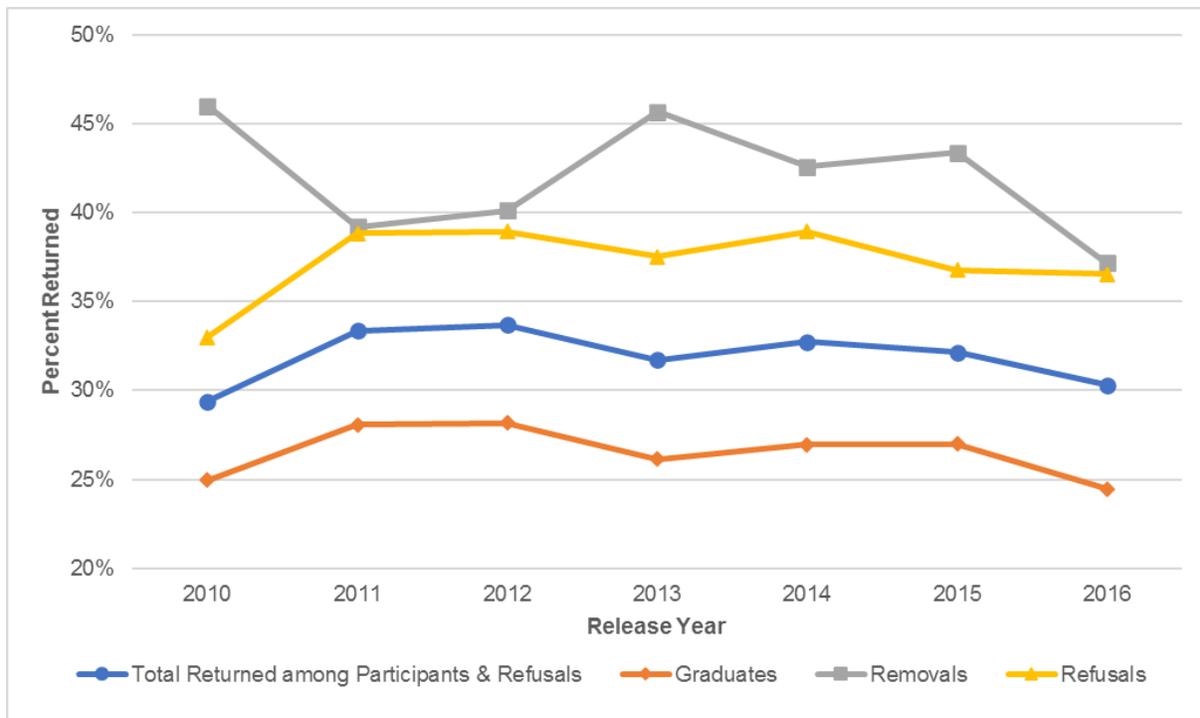


Table 17 presents the type of return to custody by Shock category. Consistent with other recidivism studies, Graduates, Removals, and Refusals all returned at higher rates for violating the conditions of their release than for new convictions. However, Removals returned as new commitments at slightly higher rates than both Graduates and Refusals. Shock Graduates were less likely to be returned as a parole violator than Removals or Refusals.

Table 17
Returns to Custody by Shock Category and Return Type:
2010-2016 Releases

Shock Category	Total Released	Total Returned		Returned:		Returned:	
				New Commitment	Parole Violator		
TOTAL PARTICIPANTS AND REFUSALS	19,586	6,272	32.0%	1,659	8.5%	4,613	23.6%
Shock Graduates*	10,576	2,813	26.6%	888	8.4%	1,925	18.2%
Shock Removals	1,953	815	41.7%	182	9.3%	633	32.4%
Shock Refusals	7,057	2,644	37.5%	589	8.3%	2,055	29.1%

* Graduates had a 52% decrease in the odds of being returned within three years compared with non-graduates. Graduates had a 48% decrease in the odds of being returned as a parole violator within three years compared with non-graduates.

These differences were statistically significant at $p \leq .05$

As shown in **Table 18**, among individuals returned to custody within three years of release, there was a marked contrast between the median time-to-return for parole violations among Graduates (17.0 months) compared with Removals (9.9 months) and Refusals (9.6 months). Overall, Shock Graduates were generally less likely to return to custody than Removals or Refusals and those returned spent more time in the community before return.

Table 18
Median Time to Return (in Months) by Type of Return:
2010-2016 Releases who Returned to Custody within Three Years of Release

Shock Category	Total Returned	Returned:	
		New Commitment	Parole Violator
Shock Graduates	18.0	19.3	17.0
Shock Removals	11.4	18.1	9.9
Shock Refusals	11.1	19.8	9.6

There were also differences in return rates by sex, which are presented in **Table 19**. Among the 2015 release cohort released for the first time on their sentence, the return rate for males was substantially higher for males than for females (43% vs. 31%).⁷ Consistent with this overall recidivism rate, males who were Shock eligible and suitable returned at higher rates than females (33% vs. 23%). This difference was consistent for

⁷ For additional information, please see Section Four of “2015 Inmate Releases Three Year Post-Release Follow-Up”: https://doocs.ny.gov/system/files/documents/2021/11/2015-releases_three-year-post-release-follow-up_final_20211117.pdf

new commitment returns and parole violator returns. Female Graduates were the least likely to return to prison (21%), while male Removals were the most likely to return to prison within three years (43%).

Table 19
Sex and Shock Category by Type of Return:
2010-2016 Releases who Returned to Custody within Three Years of Release

Sex & Shock Category	Total Released	Total Returned		Returned: New Commitment		Returned: Parole Violator	
Males	17,430	5,766	33.1%	1,572	9.0%	4,194	24.1%
Shock Graduates	9,334	2,557	27.4%	835	8.9%	1,722	18.4%
Shock Removals	1,729	745	43.1%	171	9.9%	574	33.2%
Shock Refusals	6,367	2,464	38.7%	566	8.9%	1,898	29.8%
Females	2,156	506	23.5%	87	4.0%	419	19.4%
Shock Graduates	1,242	256	20.6%	53	4.3%	203	16.3%
Shock Removals	224	70	31.3%	11	4.9%	59	26.3%
Shock Refusals	690	180	26.1%	23	3.3%	157	22.8%

Among the 19,586 Shock eligible and suitable individuals included in the follow-up study, 1,659 (8.5%) were returned to DOCCS' custody within three years of release following conviction for a new felony offense. **Table 20** presents the crimes for which the individuals in each Shock category returned to DOCCS' custody.

Graduates were most likely to be returned for drug offenses (44%), while Removals were most likely to be returned for violent felony offenses (40%). Refusals were most likely to be returned for drug offenses (34%).

Table 20
Crime on Return for New Commitment Returns by Shock Category:
2010-2016 Releases who Returned to DOCCS' Custody within Three Years of Release

Crime on Return	Total New Commitments		Shock Category					
			Graduates		Removals		Refusals	
TOTAL	1,659	100%	888	100%	182	100%	589	100%
Violent Felony Offenses	406	24.5%	183	20.6%	73	40.1%	150	25.5%
Assault 1st	16	1.0%	6	0.7%	1	0.5%	9	1.5%
Assault 2nd	28	1.7%	13	1.5%	3	1.6%	12	2.0%
Attempt Murder	4	0.2%	1	0.1%	1	0.5%	2	0.3%
Burglary 1st	10	0.6%	5	0.6%	0	0.0%	5	0.8%
Burglary 2nd	116	7.0%	66	7.4%	12	6.6%	38	6.5%
Manslaughter 1st, Agg 2nd	7	0.4%	2	0.2%	1	0.5%	4	0.7%
Murder	14	0.8%	8	0.9%	3	1.6%	3	0.5%
Other VFO Sex Off	4	0.2%	0	0.0%	1	0.5%	3	0.5%
Other Violent Felony	2	0.1%	1	0.1%	0	0.0%	1	0.2%
Rape 1st	1	0.1%	0	0.0%	0	0.0%	1	0.2%
Robbery 1st	39	2.4%	14	1.6%	11	6.0%	14	2.4%
Robbery 2nd	55	3.3%	28	3.2%	14	7.7%	13	2.2%
Sex Abuse 1st, 2nd, 3rd	6	0.4%	2	0.2%	2	1.1%	2	0.3%
Sodomy 1st	2	0.1%	0	0.0%	1	0.5%	1	0.2%
Weapons Offenses	102	6.1%	37	4.2%	23	12.6%	42	7.1%
Other Coercive Offenses	139	8.4%	67	7.5%	16	8.8%	56	9.5%
Attempt Assault 2nd	19	1.1%	6	0.7%	1	0.5%	12	2.0%
Conspiracy 2,3,4	14	0.8%	9	1.0%	1	0.5%	4	0.7%
Manslaughter 2nd	2	0.1%	2	0.2%	0	0.0%	0	0.0%
Other Coercive	8	0.5%	2	0.2%	2	1.1%	4	0.7%
Other Sex Offenses	14	0.8%	7	0.8%	0	0.0%	7	1.2%
Other Weapons	41	2.5%	22	2.5%	7	3.8%	12	2.0%
Robbery 3rd	41	2.5%	19	2.1%	5	2.7%	17	2.9%
Drug Offenses	641	38.6%	388	43.7%	50	27.5%	203	34.5%
Property & Other Offenses	471	28.4%	250	28.2%	42	23.1%	179	30.4%
All Other Felonies	58	3.5%	23	2.6%	6	3.3%	29	4.9%
Burglary 3rd	148	8.9%	88	9.9%	11	6.0%	49	8.3%
Contempt 1st	14	0.8%	2	0.2%	1	0.5%	11	1.9%
DWI	57	3.4%	28	3.2%	4	2.2%	25	4.2%
Forgery	39	2.4%	24	2.7%	4	2.2%	11	1.9%
Grand Larceny	122	7.4%	68	7.7%	15	8.2%	39	6.6%
Stolen Property	33	2.0%	17	1.9%	1	0.5%	15	2.5%
Youthful Offender	1	0.1%	0	0.0%	1	0.5%	0	0.0%
Juvenile Offender	1	0.1%	0	0.0%	0	0.0%	1	0.2%

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